



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,349	10/31/2003	Edward M. Tecot	MS1-1645US	9655
22801	7590	05/09/2011		
LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201			EXAMINER SAINT CYR, JEAN D	
			ART UNIT 2425	PAPER NUMBER
			NOTIFICATION DATE 05/09/2011	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

### Office Action Summary

**Application No.**

10/698,349

**Applicant(s)**

TECOT ET AL.

**Examiner**

JEAN Duclos SAINT CYR

**Art Unit**

2425

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01/28/2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 27-37 and 64-92; 101-112 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 27-37 and 64-92; 101-112 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 93-100 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 27-35, 64-72; 79 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims recite computer storage media and while the specification separately discloses in paragraph 206 "computer storage media" and "communications media." the broadest reasonable interpretation of computer storage media includes carrier waves and signals which are non-statutory.

***Claim Rejections - 35 USC § 112, Second Paragraph***

Claim 37 is rejected under 35 U.S.C. 112, Second Paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It recites the language "means for" without a clearly defined corresponding structure from the specification. In other words, one of ordinary skill in the art would not be able to precisely identify the associated structure, material, or acts necessary for achieving the specified function within the specification – See MPEP 2181 IV.

Claim elements "means for presenting a UI on the first multimedia presentation system, the UI including a display of the bookmark and a prompt for user input to accept the bookmark and resume presentation of the multimedia program at the first multimedia presentation system, the UI being presented in direct response to receiving the bookmark, the UI not being presented in response to user interaction with the first multimedia presentation system; means for receiving -user input through the UI that indicates a user request to resume presentation of the that the user selects the bookmarked multimedia program from the position of the bookmark; means for requesting that a communicatively coupled multimedia server stream to the first multimedia presentation system, multimedia program from the position of the bookmark; and means for presenting the multimedia program at the first multimedia presentation system from the position of the bookmark" is a means (or step) plus function limitation that invokes 35 U.S.C. 112, sixth paragraph. However, the written description fails to disclose the corresponding structure, material, or acts for the claimed function. There is no sufficient algorithm and program disclosing those functions in the specification and the processor needs to be programmed accordingly to execute those functions..

Applicant is required to:

(a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph;

or(b) Amend the written description of the specification such that it expressly recites what structure, material, or acts perform the claimed function without introducing any new matter (35 U.S.C. 132(a)).

If applicant is of the opinion that the written description of the specification already implicitly or inherently discloses the corresponding structure, material, or acts so that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function, applicant is required to clarify the record by either:

(a) Amending the written description of the specification such that it expressly recites the corresponding structure, material, or acts for performing the claimed function and clearly links or associates the structure, material, or acts to the claimed function, without introducing any new matter (35 U.S.C. 132(a)); or

(b) Stating on the record what the corresponding structure, material, or acts, which are implicitly or inherently set forth in the written description of the specification, perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

### **Response to Arguments**

Applicant's arguments with respect to claims 27-37, 64-92, 101-112 have been considered but are moot in view of the new ground(s) of rejection. The 101 rejection is maintained because the applicant failed to overcome the previous rejection. The double patenting rejection is removed. As a result, this action is made non-final.

### **Election by Original Presentation**

Newly submitted claims 93-100 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Independent claim 93 contains all limitations of claims 1 that was restricted under a non-elected group.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 93-100 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 27-37, 64-87, 101-112 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vasilevsky(20050166258) et al in view of Bowman(20020174431)et al further in view of Ellis, US No. 20050028298

Re claim 27, Vasilevsky et al disclose one or more computer storage media storing processor-executable instructions that, when executed by a processor, perform operations comprising: presenting a first user interface (UI) on a first multimedia presentation system at a first locus(see fig.2; a general Graphical User Interface display provided to system users, 0025; the input signals are in response to a graphical user interface displayed on the receiver screens,0039),

receiving, through the first UI, a user request to send a bookmark to a specified second locus from among the multiple loci, the second locus including a second multimedia presentation system, the bookmark including an indication of a point within a multimedia program(see fig.1, element 128; see fig.7; the bookmark display 400 can contain all of the active bookmarks for the program, or only those to which the user has access,0055);

in response to presenting the second UI, receiving a user selection through the second UI(upon the demand of a user,0022);

requesting that a communicatively coupled multimedia server stream to the second multimedia presentation system, the multimedia program, beginning from the point within the multimedia program indicated by the bookmark; and presenting the multimedia program at the second multimedia presentation system from the point within the multimedia program indicated by the bookmark(the media server being adapted to

upon the demand of a user via a reproduction device, transmit in a reproducible format, programs to the reproduction devices,0021; rendering the decoded and decrypted signals compatible for display with the television receivers 124, 128 and 132,0034; the same program can be resumed from the same pause point and viewed, but from a different receiver,0049).

But Vasilevsky did not explicitly disclose the first UI providing a listing of multiple loci within a physical environment to which a bookmark can be sent; sending the bookmark to the second multimedia presentation system at the second locus.

However, Bowman et al disclose the user identification code is assigned when the user completes a user profile in becoming a subscriber to the retrieval system. The retrieved work or song title is then transmitted to the user's mobile telephone or another user-selected destination,0016;0023. As taught in para.0009, the first stored broadcast segment, corresponding to the first bookmark, is retrieved from the broadcast segment database and transmitted to a user-selected destination, which can reasonably include selecting a second device to resume the bookmarked content of the first device. Generally, this is selecting a location to send content which is analogous to sending a bookmark which plays contents at a different location.

Therefore, it would have been obvious for any person of ordinary skill in the art at that time the invention was made to use the teachings of Bowman et al into the



invention of Vasilevsky thereby teaching "the first UI providing a listing of multiple loci within a physical environment to which a bookmark can be sent; sending the bookmark to the second multimedia presentation system at the second locus" for the purpose of allowing users to select a device at a remote location to resume his bookmarked content.

And Vasilevsky is silent as to disclose in response to the second multimedia presentation system receiving the bookmark, and without user interaction, presenting a second UI on the second multimedia presentation system, the second UI prompting for user-selection to resume the multimedia program at the second multimedia presentation system.

However, Ellis et al disclose at an appropriate time before the selected program is scheduled to air e.g., a predefined user-selectable number of minutes, hours or days, a reminder may be issued by the local or remote interactive television program guides, or both. The reminder may be issued on all remote program guide access devices 24 available to the user, and may be displayed e.g., in the form of a pop-up window or message on user television equipment, 0118; 0117. Therefore, the scheduled pop-up window of Ellis et al generally discloses a notification of additional information that is generated without user intervention.

Therefore, it would have been obvious for any person of ordinary skill in the art at that time the invention was made to use the teachings of Ellis et al into the invention of Vasilevsky as modified by Bowman thereby teaching " in response to the second multimedia presentation system receiving the bookmark, and without user interaction, presenting a second UI on the second multimedia presentation system, the second UI prompting for user-selection to resume the multimedia program at the second multimedia presentation system " for the purpose of allowing the system to display a bookmark notification or message to a remote location without user input.

Re claim 28, Vasilevsky et al disclose wherein the first UI includes a listing of bookmarks associated with a particular multimedia program, and the user request to send a bookmark includes a bookmark selected from the listing of bookmarks associated with the particular multimedia program(audio programs, 0031).

Re claim 29, Vasilevsky et al disclose wherein the first UI includes a listing of bookmarks associated with a particular multimedia program based upon one or more properties associated with the bookmarks(see fig.6; brief description of what occurred in the program just prior to the pause point,0057) .

Re claim 30, Vasilevsky et al disclose wherein the second UI includes a listing of one or more bookmarks associated with a particular multimedia program based upon one or more properties associated with the bookmarks; the one or more properties being

selected from a group consisting of: identity of -the particular multimedia program; relative point of the bookmark during the presentation of the particular multimedia program; a category of the particular multimedia program ; a locus of a system where the particular multimedia program was bookmarked; identity of a user who manually bookmarked the particular multimedia program; chronological time of generation of the bookmark; chronological date of generation of the bookmark(see fig.7, user name and identity of the program).

Re claim 31, wherein the second UI graphically illustrates one or more of the following: identity of the multimedia program; relative point of the bookmark during presentation of the selected bookmarked multimedia program; a category of the multimedia program; a locus of a system where the -multimedia program was bookmarked; identity of a user who bookmarked the multimedia program; chronological time when the multimedia program was bookmarked; chronological date when the multimedia -program was bookmarked; relative time when the multimedia program was bookmarked(see fig.2, chronological date).

Re claim 32, Vasilevsky et al disclose wherein the second UI includes a listing of broadcast media programs that have one or more bookmarks(see fig.4; 0055).

Re claim 33, Vasilevsky et al disclose wherein the second UI includes a listing of

broadcast media programs available with indicators corresponding with broadcast media programs that have one or more bookmarks(see fig.2).

Re claim 34, Vasilevsky et al disclose wherein the second UI includes a grid listing of broadcast media programs available with indicators corresponding with broadcast media programs that have one or more bookmarks(see fig.7, bookmark listing).

Re claim 35, Vasilevsky et al disclose wherein the second UI includes a listing of broadcast media programs available with indicators corresponding with broadcast media programs that have one or more bookmarks, wherein the appearances of the indicators vary to indicate differences in one or more properties associated with bookmarked broadcast media programs(see fig.5; program bookmarks can be displayed in the form of still photographs corresponding to the video scenes at the time a program is paused. An example of this type of display 500 is shown in FIG. 5. Other forms of bookmark icons and bookmark displays are possible given the teachings of the present,0056; Another variation of showing bookmarks isn't iconic at all, but rather completely textual, as shown in the display).

Re claim 36, is met as previously discussed with respect to the rejection of claim 27.

As claim 37, the claimed "means for receiving, at a first multimedia system at a first location, a bookmark indicating a position within a multimedia program, the bookmark

having been sent from a second multimedia system at a second location...; means for requesting that a communicatively coupled multimedia server stream to the first multimedia presentation system, multimedia program from the position of the bookmark; and means for presenting the multimedia program at the first multimedia presentation system from the position of the bookmark" is composed as the same structural elements as previously discussed with respect to the rejection of claim 27.

As claim 64, the claimed generating a bookmark to mark a point during a presentation of a program, the program being presented through a first presentation system at a first physical location within a physical environment; receiving, through a user interface at the first presentation system, a selection of a second presentation system at a second physical location within the physical environment, the selection indicating that the bookmark is to be sent to the second presentation system...; , causing the second presentation system to present, without user interaction, a user interface indicating the ability to resume, through the second presentation system, presentation of the program from the point marked by the bookmark" is composed as the same structural elements as previously discussed with respect to the rejection of claim 27.

Re claim 65, Vasilevsky et al disclose the operations further comprising storing multiple bookmarks for the program, wherein each bookmark has one or more properties associated therewith(see fig.6; brief description of what occurred in the program just prior to the pause point,0057) .

Re claim 66, Vasilevsky et al disclose the operations further comprising determining whether an action performed by a user is one which is designated to generate a bookmark and, if so, generating and storing the bookmark(placing a program bookmark in a stored program representing a point,0022).

Re claim 67, Vasilevsky et al disclose wherein the action performed by the user comprises an action selected from a group of actions consisting of: selecting another source of multimedia content; viewing a list of other sources of multimedia content; manually pressing a "pause" key; manually pressing a "bookmark" key; and manually pressing another pre-defined key or choosing a pre-defined option(the same program can be resumed from the same pause point and viewed, but from a different receiver,0049).

Re claim 68, Vasilevsky et al disclose wherein properties associated with the bookmark are selected from a group of properties consisting of: identity of a user who manually bookmarked the presentation; chronological time when the bookmark was generated; chronological date when the bookmark was generated; and relative time during the presentation when the presentation was bookmarked(see fig.2, chronological date).

Re claim 69, Vasilevsky et al disclose the operations further comprising receiving

the multimedia program as part of a broadcast media transmission(see fig.1;  
0033;0031).

Re claim 70, Vasilevsky et al disclose the operations further comprising receiving the multimedia program as part of a broadcast media transmission, wherein the broadcast media transmission is one of incoming live television broadcast, incoming live cable television signal, incoming live satellite signal, incoming live video-on-demand signal, or incoming live pay-per-view signal(upon the demand of a user via a reproduction device, transmitting in a reproducible format,0022;0031).

Re claim 71, Vasilevsky et al disclose the operations further comprising sending the bookmark to each of a plurality of second presentation systems within the physical environment, enabling resumption of the program at the point of the bookmark from any of the plurality of second presentation systems within the physical environment(the same program can be resumed from the same pause point and viewed, but from a different receiver,0049).

Re claim 72, is met as previously discussed with respect to the rejection of claim 27.

Re claim 73, Vasilevsky et al disclose computing device within the physical environment, communicatively coupled to the first presentation system and the second presentation system, the computing device comprising: a digital video recorder unit; a

computer storage medium as recited in claim 64(Digital Video Recording, abstract; see rejection of claim 64).

Re claim 74, Vasilevsky et al disclose wherein the physical environment is a single building(see fig.1; typical homes,0016).

Re claim 75, Vasilevsky et al disclose wherein the physical environment is a plurality of neighboring buildings(smaller buildings,0016).

As claim 76, the claimed " receiving a program from a media distribution system; streaming the program to a first presentation system at a first location over a local area network; presenting a first user interface (UI) through the first presentation system, the first UI enabling a user to bookmark a point in a program, and the first UI indicating a list of other presentation systems to which a bookmark can be sent...;presenting a second UI on the second presentation system, without user input on the second presentation system, wherein the second UI comprises an invitation for user input to accept the bookmark and resume the program at the second presentation system" is composed as the same structural elements as previously discussed with respect to the rejection of claim 27.

Re claim 77, is met as previously discussed with respect to the rejection of claim 69.

Re claim 78, is met as previously discussed with respect to the rejection of claim 70.



As claim 79, the claimed "a computer storage medium having processor-executable instructions recorded thereon that, when executed by a processor, cause the processor to perform operations comprising: receiving a multimedia program from a media distribution system...; streaming the multimedia program over the local area network to the second multimedia presentation system, beginning at the point indicated by the bookmark" is composed as the same structural elements as previously discussed with respect to the rejection of claim 27.

Re claim 80, is met as previously discussed with respect to the rejection of claim 27.

Re claim 81, Vasilevsky et al disclose the media content being streamed to the multimedia node from the multimedia hub(see fig.1).

Re claim 82, is met as previously discussed with respect to the rejection of claim 67.

Re claim 83, is met as previously discussed with respect to the rejection of claim 68.

Re claim 84, is met as previously discussed with respect to the rejection of claim 69.

Re claim 85, is met as previously discussed with respect to the rejection of claim 70.

As claim 86, the claimed "a method facilitating resumption of a presentation of media content at a resumption locus when the media content was bookmarked at an original locus different from the resumption locus...; in response to receiving the bookmark data,

and not in response to any user input, the multimedia presentation device presenting a user interface that indicates that the bookmark data has been received...;resuming the presentation of the media content by the multimedia presentation device at resumption locus" is composed as the same structural elements as previously discussed with respect to the rejection of claim 27.

Re claim 87, Vasilevsky et al disclose wherein the resumption locus is one of a plurality of loci(see fig.1).

Re claim 101, Vasilevsky et al disclose a multimedia server system which is configured to be communicatively coupled to a plurality of multimedia presentation systems, the server system comprising: a plurality of multimedia-content receivers configured to receive multimedia programs, a first receiver of the one or more multimedia-content receivers associated with a first multimedia presentation system of the multimedia presentation systems, and a second receiver of the one or more multimedia-content receiver associated with a second multimedia presentation system of the plurality of multimedia presentation systems(see fig.1; home area-networked digital video recording and playback system allowing video bookmarking and playback of the same program from different receivers/reproduction devices,0024; the media server acts as a centralized Digital Video Recorder and Playback device for all of the receivers connected to the HAN,0031) ;

one or more storage units configured to store the multimedia programs(see fig. 1, program database);

a computing unit configured to: bookmark a point during a presentation of a multimedia program of the multimedia programs on the first multimedia presentation system to generate a bookmark(Activating a "bookmarks" button in the display 200 causes the GUI to produce a toolbar,0055; the system can be modified to automatically establish a program bookmark when the user initiates a "pause" function,0061; placing a program bookmark in a stored program,0022);

associate one or more properties with the bookmark; store the bookmark in association with the multimedia program(any user with access to the system can place or establish program bookmarks in a program being reproduced,0052; see fig.4, plurality of bookmark; 0055; all of the bookmarks accessible to system users are listed by program, user and program pause location,0058);

perform at least one of: swap the first receiver with the second receiver if the bookmark is accessed on the second multimedia presentation system, to associate the first receiver with the second multimedia presentation system and to associate the second receiver with the first multimedia presentation system; or share the first receiver if the bookmark is accessed on the second multimedia presentation system, to present

on the first multimedia presentation system the multimedia program from the first receiver, and to present on the second multimedia presentation system the multimedia program from the first receiver(A well-designed and well-implemented HAN can allow resource sharing between one or more workhorse devices and the several attached devices, giving the attached devices greater capability and functionality than they would otherwise possess,0017; the system shares resources for allowing users to access data stored from one location to another location; home area-networked digital video recording and playback system allowing video bookmarking and playback of the same program from different receivers/reproduction devices,0024);

But did not explicitly disclose wherein a user interface associated with the first multimedia presentation system is configured to prompt for a location to which to send a bookmark generated at the first multimedia presentation system, and wherein a UI at a second multimedia presentation system, to which the bookmark was sent, is configured to prepare, independent of a user input, for selection by a user, an indication that a program has arrived at the second multimedia presentation system and is ready to resume presentation as indicated by the bookmark .

However, Bowman et al disclose the user identification code is assigned when the user completes a user profile in becoming a subscriber to the retrieval system. The retrieved work or song title is then transmitted to the user's mobile telephone or another user-selected destination,0016;0023. As taught in para.0009, the first stored broadcast

segment, corresponding to the first bookmark, is retrieved from the broadcast segment database and transmitted to a user-selected destination, which can reasonably include selecting a second device to resume the bookmarked content of the first device. Generally, this is selecting a location to send content which is analogous to sending a bookmark which plays contents at a different location.

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Bowman into the system of Vasilevsky for the purpose of allowing users to specify where they want to resume their contents remotely and receive notification.

And Ellis et al disclose at an appropriate time before the selected program is scheduled to air e.g., a predefined user-selectable number of minutes, hours or days, a reminder may be issued by the local or remote interactive television program guides, or both. The reminder may be issued on all remote program guide access devices 24 available to the user, and may be displayed e.g., in the form of a pop-up window or message on user television equipment,0118; 0117. Therefore, the scheduled pop-up window of Ellis et al generally discloses a notification of additional information that is generated without user intervention.

Therefore, it would have been obvious for any person of ordinary skill in the art at that time the invention was made to use the teachings of Ellis et al into the invention of Vasilevsky as modified by Bowman thereby teaching " wherein a UI at a second multimedia presentation system, to which the bookmark was sent, is configured to prepare, independent of a user input, for selection by a user, an indication that a program has arrived at the second multimedia presentation system and is ready to resume presentation as indicated by the bookmark" for the purpose of allowing the system to display a bookmark notification or message to a remote location without user input.

Re claim 102, Vasilevsky et al disclose further comprising a user-interface control panel configured to receive user input action that triggers generation of the bookmark, such action is selected from a group consisting of: selection of another source of multimedia content; viewing a list of other sources of multimedia content; manually pressing "pause key"; manually pressing "bookmark" key; and manually pressing another pre-defined key, or choosing a pre-defined option(the user initiates a "pause" function,0061).

Re claim 103, Vasilevsky et al disclose wherein the properties associated with the bookmark are selected from a group consisting of: locus of system where the presentation was bookmarked; identity of user who manually bookmarked the presentation; chronological time of the bookmark generating; chronological date of the

bookmark generating; relative time during the presentation where the presentation was bookmarked(see fig.4, name of the user placing the bookmark; see fig.6; the identifier 650 is in the form of a more detailed text box that includes such information as the bookmark establisher's name, a title of the bookmark, and a brief description of what occurred in the program just prior to the pause point,0057).

As claim 104, the claimed "the first and second receivers are the receivers at which the bookmark was generated and to which the bookmark was sent..; the multimedia server system is configured to share the first multimedia-content receiver, resulting in both the first and second multimedia presentation systems being associated with the first tuner, the first buffer, and the first recorded content" is composed as the same structural elements as previously discussed with respect to the rejection of claim 101.

Re claim 105, Vasilevsky et al disclose wherein the one or more multimedia-content receivers are further configured to receive the multimedia program as part of a broadcast media transmission, wherein the broadcast media transmission is selected from a group consisting of incoming live television broadcast, incoming live cable television signal, incoming live satellite signal, incoming live video-on-demand signal, and incoming live pay-per-view signal(video-on-demand services,0031).

Re claim 106, is met as previously discussed with respect to the rejection of claim 101.

Re claim 107, is met as previously discussed with respect to the rejection of claim 101..

Re claim 108, Vasilevsky et al disclose wherein the multimedia server shares the first tuner with both the first and the second multimedia presentation systems(A well-designed and well-implemented HAN can allow resource sharing between one or more workhorse devices and the several attached devices, giving the attached devices greater capability and functionality than they would otherwise possess,0017; the system shares resources for allowing users to access data stored from one location to another location; home area-networked digital video recording and playback system allowing video bookmarking and playback of the same program from different receivers/reproduction devices,0024).

Re claim 109, Vasilevsky et al disclose further comprising a user-interface control panel configured to receive user input action that triggers generation of the bookmark, such action is selected from a group consisting of: selection of another source of multimedia content; viewing a list of other sources of multimedia content; manually pressing "pause key"; manually pressing "bookmark" key; and manually pressing another pre-defined key, or choosing a pre-defined option(the user initiates a "pause" function,0061).

Re claim 110, Vasilevsky et al disclose wherein the multimedia server is further



operable to: associate one or more properties with the bookmark; and store the bookmark in association with the first multimedia program; wherein the properties associated with the bookmark are selected from a group consisting of: a locus of system where the presentation was bookmarked; an identity of user who manually bookmarked the presentation; a chronological time of the bookmark generating; a chronological date of the bookmark generating; and a relative time during the presentation where the presentation was bookmarked(see fig.4, name of the user placing the bookmark; see fig.6; the identifier 650 is in the form of a more detailed text box that includes such information as the bookmark establisher's name, a title of the bookmark, and a brief description of what occurred in the program just prior to the pause point,0057).

Re claims 111 and 112, are met as previously discussed with respect to the rejection of claim 106.

Claims 88 -92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vasilevsky(20050166258) et al in view of Bowman(20020174431) et al further in view of Yui(20050246746) and further in view of Ellis, US No. 20050028298

Re claim 88, Vasilevsky et al disclose a multimedia presentation system comprising: a server device having a first tuner and a second tuner, the first tuner operable to receive a first multimedia program, and the second tuner operable to receive a second multimedia program(see fig.1, media server 162, tuners 108 and 112; the system 100

combines a media server for receiving and storing multiple electronic audio-visual programs,0031);

a first presentation system coupled to the first tuner over a local area network, wherein the first presentation system receives and presents the first multimedia program, and wherein the first presentation system is configured to generate a bookmark indicating a location within the first multimedia program(see fig.1, element 124; from one reproduction device, place a program bookmark in a program representing a point in the program where reproduction has stopped,0021); and

a second presentation system coupled to the second tuner over the local area network, the second presentation system receiving and presenting the second multimedia program(see fig.1, element 128; rendering the decoded and decrypted signals compatible for display with the television receiver 128,0034) and;

wherein: the server device is configured to store the bookmark in association with the first multimedia program(see fig.1, bookmark database; most important aspect of the media server is that it is a centrally located means for storing multiple programs,0043);

the server device is further configured to allow the second presentation system to access the first multimedia program beginning at the location within the first multimedia program that is indicated by the bookmark(a program being viewed on one receiver can

be paused. Later, the same program can be resumed from the same pause point and viewed, but from a different receiver,0049).

But did not explicitly disclose a user interface on the first presentation system is configured to prompt for user input indicating a presentation system available on the local area network to which the bookmark generated at the first presentation system is to be sent;

a UI at the second presentation system, the presentation system to which the bookmark is sent, is configured to prepare, for selection by a user, an indication that the user has arrived at the second presentation system and is ready to resume the first multimedia program as indicated by the bookmark, the indication being prepared in direct response to receiving the bookmark and independent of any user interaction with the second presentation system.

However, Bowman et al disclose the user identification code is assigned when the user completes a user profile in becoming a subscriber to the retrieval system. The retrieved work or song title is then transmitted to the user's mobile telephone or another user-selected destination,0016;0023. As taught in para.0009, the first stored broadcast segment, corresponding to the first bookmark, is retrieved from the broadcast segment database and transmitted to a user-selected destination, which can reasonably include selecting a second device to resume the bookmarked content of the first device.

Generally, this is selecting a location to send content which is analogous to sending a bookmark which plays contents at a different location.

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Bowman into the system of Vasilevsky for the purpose of allowing users to specify where they want to resume their contents remotely.

And Yui et al disclose a UI at the second presentation system, the presentation system to which the bookmark is sent, is configured to prepare, for selection by a user, an indication that the user has arrived at the second presentation system and is ready to resume the first multimedia program as indicated by the bookmark (when the destination detecting means detects a destination of the user whose movement has been detected, the content can be used at the electronic device at the destination from the position based on the information indicating the reproduction position of the content that was used, 0018; 0013; 0166; 0222; 0303).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Yui into the system of Vasilevsky as modified by Bowman for the purpose of allowing the system to detect the arrival time of the user at the second presentation system.

And Ellis et al disclose the indication being prepared in direct response to receiving the bookmark and independent of any user interaction with the second presentation system (At an appropriate time before the selected program is scheduled to air e.g., a predefined user-selectable number of minutes, hours or days, a reminder may be issued by the local or remote interactive television program guides, or both. The reminder may be issued on all remote program guide access devices 24 available to the user, and may be displayed e.g., in the form of a pop-up window or message on user television equipment, 0118; 0117).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Ellis into the system of Vasilevsky as modified by Bowman and Yui for the purpose of allowing a user at first location to automatically display a message or a notification to another device at a second location.

Re claim 89, Vasilevsky et al disclose wherein: the first and second presentation systems are the presentation systems at which the bookmark was generated and to which the bookmark was sent, respectively; the bookmark is identified, at the second presentation system, in part by reference to the first presentation system at which the bookmark was generated; and the server device is configured to swap the first and second tuners in response to the bookmark, such that the first presentation system is coupled to the second tuner over the local area network and the second presentation system is coupled to the first tuner over the local area network (A well-designed and

well-implemented HAN can allow resource sharing between one or more workhorse devices and the several attached devices, giving the attached devices greater capability and functionality than they would otherwise possess,0017;0021).

Re claim 90, Vasilevsky et al disclose the UI at the second presentation system comprises a plurality of keys, each key associated with a bookmark received at the second presentation system and each key labeled with a time the bookmark was made(see fig.7, time when the bookmark was made) .

But did not explicitly disclose wherein the user interface on the first presentation system comprises a plurality of keys, each key associated with a location to which a bookmark can be sent.

However, Bowman et al disclose the user identification code is assigned when the user completes a user profile in becoming a subscriber to the retrieval system. The retrieved work or song title is then transmitted to the user's mobile telephone or another user-selected destination,0016;0023. As taught in para.0009, the first stored broadcast segment, corresponding to the first bookmark, is retrieved from the broadcast segment database and transmitted to a user-selected destination, which can reasonably include selecting a second device to resume the bookmarked content of the first device. Generally, this is selecting a location to send content which is analogous to sending a bookmark which plays contents at a different location.

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Bowman into the system of Vasilevsky for the purpose of allowing users to specify where they want to resume their contents remotely.

Re claim 91, Vasilevsky et al did not explicitly disclose wherein the user interface on the first presentation system comprises a plurality of keys, each key associated with rooms in a home that contain presentation systems.

However, Yui et al disclose wherein the user interface on the first presentation system comprises a plurality of keys, each key associated with rooms in a home that contain presentation systems(see fig.6).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Yui into the system of Vasilevsky as modified by Bowman for the purpose of allowing the system to assign label to specific room.

Re claim 92, Vasilevsky et al disclose wherein the UI on the first presentation system is additionally configured to send the bookmark generated at the first presentation system to a plurality of presentation systems upon which the first multimedia program

can be resumed(see fig.1, a plurality of presentation systems; capable of program bookmarking and playback resumption of the same program from multiple receivers,0031).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reached on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

/Jean Duclos Saintcyr /



Application/Control Number: 10/698,349

Page 32

Art Unit: 2425

/Brian T Pendleton/

Supervisory Patent Examiner, Art Unit 2425